

APPEAL NO. 040679
FILED MAY 17, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 24, 2004. The hearing officer decided that: (1) the compensable injury of _____, extends to include a right ankle sprain but does not extend to include a left knee medial meniscal tear, complex regional pain syndrome/reflex sympathetic dystrophy, chondromalacia patella of both knees or a right hip injury; (2) the appellant/cross-respondent (claimant) had disability from May 31, 2002, through February 12, 2003, but not from February 13, 2003, through February 24, 2004; and (3) the claimant reached maximum medical improvement (MMI) on September 10, 2002, with a 0% impairment rating (IR) as certified by the designated doctor appointed by the Texas Workers' Compensation Commission. The claimant appeals the adverse extent-of-injury, disability, and MMI/IR determinations on sufficiency of the evidence grounds. The respondent/cross-appellant (self-insured) urges affirmance of such determinations. The self-insured cross-appeals the adverse extent-of-injury and disability determinations on sufficiency of the evidence grounds. The claimant did not file a response.

DECISION

Affirmed.

The hearing officer did not err in making the complained-of determinations. The determinations involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
1021 MAIN STREET
HOUSTON, TEXAS 77002.**

Edward Vilano
Appeals Judge

CONCUR:

Robert W. Potts
Appeals Judge

Margaret L. Turner
Appeals Judge